

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

WARREN WONG,

Defendant.

UNDER SEAL

Case No. 1-22-MJ-302

AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT

I, Kyle P. Fenton, being duly sworn, depose and state as follows:

BACKGROUND

1. I am a Special Agent (SA) with the U.S. Army Criminal Investigation Division (USACID) and have been employed in that position since August of 2018. I have received formal training through the United States Army Military Police School and the CID Special Agent Course in various investigative skills to include digital evidence collection and examination. In addition to my training as a criminal investigator, I hold a Master's degree in Forensic Psychology from Arizona State University, which further encompassed course material and research pertaining to child sexual abuse and exploitation. As part of my duties as a SA assigned to the Fort Belvoir Resident Agency, I investigate criminal violations including sexual exploitation of children. These investigations involve violations pertaining to the illegal production, distribution, receipt, and possession of child pornography, in violation of the Uniform Code of Military Justice (UCMJ), as well as violations of Title 18, United States Code, Sections 2251, 2252, and 2252A. As part of my training and experience, I have reviewed images containing child pornography in a variety of

formats (such as digital still images and video images) and media (such as digital storage devices, the Internet, and printed images). As a civilian SA of USACID, I am authorized to investigate crimes involving violations of the UCMJ and other applicable federal laws, where there is an Army interest. I have participated in search warrants that involved sexual exploitation of children, and these investigations have led to arrests and convictions for violations of the federal code and UCMJ.

2. Through my training, education and experience, I have become familiar with the methods used by people who commit offenses involving the sexual exploitation of children. My training and experience has given me an understanding of how people who commit offenses relating to the sexual exploitation of children use the Internet to facilitate and commit those offenses.

3. I present this affidavit in support of a criminal complaint charging Warren Y. Wong (“WONG”) with sexual exploitation of children, in violation of 18 U.S.C. § 2251(a).

4. I am familiar with the information contained in this affidavit based upon the investigation that I have conducted, along with my conversations with other law enforcement officers, computer forensic agents and others, and my review of reports and database records. This affidavit contains the information necessary to support probable cause and is not intended to include each and every fact observed by me or known to the government.

STATUTORY AUTHORITY AND DEFINITIONS

5. “Child pornography,” as used in this affidavit, is any visual depiction of sexually explicit conduct where the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct.

6. “Sexually explicit conduct,” as defined in 18 U.S.C. § 2256(2), means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any person.

7. “Visual depiction,” as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

8. The term “minor,” as defined in 18 U.S.C. § 2256(1), means any person under the age of 18 years.

BACKGROUND ON WONG

9. The USACID confirmed the individual identified by local law enforcement was Specialist Warren Y. WONG, a U.S. Army service member currently on Title 10 status (active duty) and continuously in Title 10 status since he entered active service on May 21, 2019. Records show that WONG has been on military orders to Fort Belvoir, Virginia, in the Eastern District of Virginia, from May 25, 2021, to the present. WONG currently resides in barracks housing on Fort Belvoir and is assigned to Headquarters and Headquarters Company (HHC), Warrior Transition Unit (WTU).

PROBABLE CAUSE

10. On October 25, 2021, the Fort Belvoir Resident Agency, located in Fort Belvoir, Virginia, was notified by the police department in Liberty, Missouri, that Specialist Warren Y. WONG obtained sexually explicit images of Minor 1. Investigation to date has determined that

WONG appears to have exploited at least 10 minor victims from at least May through December of 2021.

Minor-1

11. On July 5, 2021, the father of Minor-1 reported to the Liberty, Missouri, police department that Minor-1 sent sexually explicit images of herself to an individual identified through messages as “Warren Wong” using a variety of online messaging applications. Liberty detectives identified the phone number xxx-xxx-0944 as the phone number to which Minor 1 sent the explicit images. Liberty detectives traced that phone number to a Warren Wong, who was identified as a U.S. Army Soldier during a review of law enforcement databases and of WONG’s social media.

12. On October 27, 2021, Special Agents with USACID interviewed Minor-1’s mother, who confirmed observing communications involving sexual exploitation of Minor-1 on Minor-1’s mobile device. Subsequent interviews of Minor-1’s family members on November 30, 2021, and December 6, 2021, further confirmed they observed visual depictions of child pornography containing Minor-1 across four different electronic communications platforms. The investigation revealed the accounts used to facilitate said communications, which were the same accounts that Minor-1’s father had identified.

13. On October 28, 2021, WONG was interviewed by USACID and admitted to the possession and distribution of child pornography. Furthermore, WONG admitted communicating with Minor-1, including engaging in role playing sexual conversations, while knowing that she was a minor. WONG further admitted to sending images of his exposed penis to Minor-1 using electronic communications platforms and soliciting images and videos of Minor-1’s breasts and vagina, including images and videos of her masturbating. WONG admitted that Minor-1 sent him such images and videos. WONG admitted that he had been communicating with Minor-1 for three

years, starting when she was 11 years old.

14. WONG also admitted that he engaged in frequent online chat sessions with numerous individuals where he received and sent sexually explicit images of children. Additionally, WONG admitted to sending and receiving multiple sexually explicit communications online with other minors. WONG stated he utilized various chat applications such as, SMS/MMS chat, Communications Platform 1, Communications Platform 2, and Communications Platform 3¹ to facilitate the exchange of sexually explicit images and communication with minors. Finally, WONG admitted he saved sexually explicit images of minors on a cloud-based storage service identified as Mega.nz.

15. On October 28, 2021, pursuant to a military search authorization issued by military Magistrate Judge Jarred Nicholson on October 27, 2021, the Fort Belvoir Resident Agency conducted a search of WONG's barracks room and collected two items of evidence: one iPhone XR, Model: N841AP, and one Acer laptop, Model: N18I2. On October 29, 2021, law enforcement obtained a warrant from military Magistrate Judge Jarrod Nicholson to search these devices.²

16. On November 1, 2021, USACID Digital Forensic Examiners (DFEs) conducted a triage of WONG's cellular device (iPhone). Account information identified during the triage included the iCloud account associated with WONG's device, his Communications Platform 1 subscriber information, his Communications Platform 2 account username, his Communications Platform 3 account username, and a mega.nz cloud storage associated with WONG's confirmed email address. This same email address was identified by WONG in his interview on October 28, 2021, as his personal email account. Triage of WONG's cellular device further confirmed the

¹ Law enforcement is anonymizing the names of these platforms to protect the ongoing investigation.

² WONG also consented to the search of these devices.

phone number associated with the device was the same number that Minor-1's family members reported had received child pornography of Minor-1.

17. On December 6, 2021, law enforcement interviewed Minor-1. She acknowledged communicating with "Warren" and "sex talking" with him. Minor-1 stated she believed that Warren's last name was Wong and that he lived in New York. Minor-1 related they began talking on electronic Communications Platform 2 when she was 11 years old and continued talking online through Snapchat, the Facebook Messenger application, Communications Platform 1, emails, and text message. Minor-1 stated she told WONG she was 11 years old when they first started speaking and described communications which she described as Wong's "trying to build my self-confidence up." Minor-1 relayed that Warren asked Minor-1 to show him her breasts and vagina through texting and video chats, and she complied. Minor-1 further relayed that Warren displayed his penis and masturbated during live video chats and in images transmitted to Minor 1.

18. On March 18, 2022, Chief Judge Colonel James A. Barkei issued a warrant for the search of WONG's account on Communications Platform 1. Review of the contents of that account revealed that WONG solicited and received numerous pictures of Minor-1. For example, WONG and Minor-1 engaged in the following conversation from September 6 into September 7, 2021:

WONG: Keep it in deep and send a very naughty pic
MINOR-1: Does it have to be a full body pic?
WONG: As much as you can do
WONG: I wanna at least see tits and spread pussy
WONG: It can be separate pics
WONG: doing it
WONG: ?
MINOR-1: Srry luv-
MINOR-1: I am now
WONG: Good girl
WONG: It's ok
WONG: No real rush
MINOR-1: [Empty message box]
WONG: That's it

WONG: Wanna play with it for me?

19. Despite the evidence of WONG soliciting and receiving sexually explicit images from Minor-1, only seven pictures of Minor-1 were recovered from Communications Platform 1. Five of the pictures depict Minor-1's breasts, one picture depicts Minor-1 fully naked, and one picture depicts Minor-1's vagina. These images were recovered from WONG's chat conversation with another minor, Minor-6, who identified himself as being 14 years old. Review of the conversations indicates that WONG sent photographs of Minor-1 to Minor-6 in exchange for images and videos of Minor-6. On October 12, 2021, WONG tells Minor-1 that he removed all of the explicit photographs he received from Minor-1 from the thread with Minor-1 after he believed she had been caught by her parents exchanging explicit photographs.

20. Based on these conversations and my training and experience with how chat platforms work, I believe that "empty" message boxes contained within message threads show where attachments such as pictures or videos were exchanged between WONG and Minor-1 but were later deleted.

21. Additional communications recovered from Communications Platform 1 revealed WONG and Minor-1 engaged in sexually explicit communications in which they would role play sexual activity. WONG further encouraged Minor-1 to perform sexual acts on herself, including masturbation. WONG frequently encouraged and enticed Minor-1 to visually record herself performing those acts and send him the resulting videos and images.

22. For example, on August 22, 2021, from 09:33AM through 12:18PM, WONG coordinated an online meeting between Minor-1 and Minor-6 on Communications Platform 1 for the stated purpose of engaging in sexually explicit behavior and sharing sexually explicit visual depictions of each other. During the initial introduction, WONG sent Minor-1 sexually explicit

pictures and videos of Minor-6, including pictures and videos of Minor-6's erect penis and Minor-6 masturbating. He also sent Minor-6 a picture of Minor-1's vagina. The following is an excerpt of WONG's conversation with Minor-6:

WONG: He has a nice dick tho
MINOR-1: Is it big?~
WONG: Bout my size
MINOR-1: Mmm...~
WONG: He sent me some other stuff too
WONG: A pic of his brother's dick and his cousin's pussy
WONG: [WONG sends both a video of himself masturbating and a picture of Minor-6's penis]
WONG: How do you like his dick
WONG: Are you interested in him?
MINOR-1: Y-yeah
WONG: That's good
WONG: It's ok if you are
WONG: That's the point of you two meeting
WONG: Has bunny fingered his ass for you yet? ["bunny" is a name used by WONG for Minor-6]
MINOR-1: N-no
WONG: Bet you wanna see that don't ya
MINOR-1: Y-yeah
WONG: He does have a juicy booty
WONG: Wanna see
MINOR-1: Mmmm~ yeah~
WONG: [WONG sends video of Minor-6 digitally penetrating his anus with his genitals exposed]

23. Geolocation tags on WONG's phone place him on Ft. Belvoir, Virginia, within the Eastern District of Virginia, on August 22, 2021, at 12:00PM.

24. On September 7, 2021, from 12:15AM through 1:28AM, WONG coordinated a video call using Communications Platform 1 between himself, Minor-1, and Minor-6 in which he orchestrates and directs Minor-1 to engage in sexually explicit behavior on camera while WONG and Minor-6 observe. The time elapsed from when WONG tells Minor-1 to turn on her camera to the following message indicating the video call ended was approximately 15 minutes. The messages exchanged through Platform 1 between WONG and Minor-1 on September 7, 2021,

describing the call are transcribed below. This video call is further confirmed through simultaneous messaging between WONG and Minor-6 on Platform 1.

WONG: Gonna make a naughty video for us?
WONG: Talk to bunny
WONG: See if he wants to join in
MINOR-1: Oki- and I'd rather call-
WONG: Sure
MINOR-1: I won't talk- but yh I'd rather call
WONG: You text whatever you wanna say but I'll talk
WONG: Ok?
MINOR-1: Thank u master
WONG: Ready?
MINOR-1: Almost
WONG: Tell me when
MINOR-1: I'm waiting on [*Username of Minor-6 redacted*]
WONG: [WONG sends two photographs of Minor-1 of her naked on a bed with a sexual device in her mouth.]
MINOR-1: [Empty message box sent]
MINOR-1: I'm laggy rn-
WONG: Ik
WONG: Maybe make it work and move slowly
WONG: Wanna try getting out of call and coming back in?
MINOR-1: Yh
WONG: Joining call?
WONG: Is it any better?
MINOR-1: Eh
WONG: Turn on camera
MINOR-1: A bit
WONG: Bunny wants to see his puppy get naughty ["Puppy" is a name used by WONG for Minor-1]
WONG: Want me to tell you what to do
MINOR-1: Yh
WONG: Ok
WONG: Turn on camera
WONG: Is it working?
MINOR-1: Y-yea
WONG: Nervous now you have two people watching?
MINOR-1: Yh
WONG: Don't worry I'll be here commanding and he'll be enjoying the sexy show
MINOR-1: Oki
MINOR-1: Babe
WONG: Yes?
MINOR-1: Wait nvm
WONG: Not horny anymore?

MINOR-1: No I am-
WONG: Show him your pussy
WONG: It's a bit dark
MINOR-1: Gimme a sec-
WONG: Kk
WONG: Tell me when you're ready
MINOR-1: Oki-
MINOR-1: And u can talk now
MINOR-1: It's brighter now-
WONG: Turn on the camera :p [1:11AM]
WONG: Enjoyed yourself? [1:26AM]
MINOR-1: Yh...~
WONG: Maybe next time you'll do some more active stuff
WONG: Like jumping up and down naked letting your tits and ass bounce
MINOR-1: Heh..~
WONG: Good girl

25. Law enforcement also located communications on Communications Platform 1 on August 28, 2021, between 4:37PM and 4:47PM in which WONG attempted to solicit Minor-1 to engage in and record sexual encounters between her and an unnamed male individual. The messages of this incident are transcribed below:

WONG: I have something else you'll do
WONG: And you'll do it right?
WONG: It involves the guy
MINOR-1: o-oki
WONG: Wanna know what it is?
MINOR-1: y-yes please
WONG: You're gonna text me when you and him are together
WONG: Then you're gonna bring him to your secret place
WONG: And then you're gonna ask him to play with your tits
MINOR-1: o-oki
WONG: If you want you can touch his dick
WONG: If he wants you to suck him, you'll suck him hard and as much as you can
WONG: Ok?
MINOR-1: oki master
WONG: Good girl
WONG: Is there a place in ur secret hidey place to lean and record?
MINOR-1: n-no
WONG: Ok
WONG: Will you try to find a way?
MINOR-1: ofc- anything for my master!~

Minors 2 and 3³

26. The digital forensic examination of WONG's cellular device revealed communications on Communications Platform 3 application under WONG's identified username. Between the dates of September 5 and October 15, 2021, WONG engaged in separate sexual communications in which he engaged in sexual role play with Minors 2 and 3. During the communications, Minor- 2 states that she is under the age of 18, and Minor-3 acknowledged she is 14 years old. At WONG's request, Minors 2 and 3 sent a combined 24 pictures and 2 videos (totaling 20 seconds and 43 seconds in length) of themselves. Within these images and videos, Minors 2 and 3 expose their breasts, anus, and vagina and engage in masturbation.

Minors 4 and 5

27. Examination of WONG's devices revealed that between the dates of July 4 and September 22, 2021, WONG engaged in separate sexual communications and exchanged child pornography with two minors using his identified account on Communications Platform 2. Minor-4 identifies herself as 16 years old and Minor-5 relays to WONG that she is in 10th grade. Minor-4 provided WONG 3 images of herself depicting her breasts and vagina at WONG's request. Minor-5 requested child pornography from WONG, which he promised to send in return for naked images of Minor-5. Minor-5 then provides WONG with three images depicting her exposed breasts and vagina, and WONG provides a link to his mega.nz account that was subsequently determined to contain images and videos of child pornography.

³ Unless otherwise noted, law enforcement recovered copies of images discussed in the following sections.

Minor 6

28. Examination of WONG's Communications Platform 1 account revealed that between August 16 and September 19, 2021, WONG engaged in sexual communication and exchanged child pornography with Minor 6, who identified himself as a 14-year-old male. At WONG's request, Minor-6 sent a 22 second video of himself digitally penetrating his exposed anus and sent three pictures of a young female's exposed breasts and vagina, who Minor-6 claimed was his 14-year-old friend. WONG in return sent Minor-6 images of Minor-1's exposed breasts and one picture of Minor-1's vagina. During the communications between WONG and Minor-6, WONG encourages Minor-6 to engage in and record himself performing oral sex on Minor-6's 13-year-old brother. Minor-6 does not engage in said activity but sends a photograph he captured of the 13-year-old sleeping naked. WONG subsequently sent this photograph to Minor-1 on August 22, 2021.

29. For example, WONG and Minor-6 engaged in the following conversation on August 16, 2021:

WONG: Btw [*Minor-6 username redacted*] do you have siblings?

MINOR-6: i do ^-^

WONG: Brothers? Sisters? Older? Younger?

MINOR-6: step brother

MINOR-6: he is younger

WONG: How young?

MINOR-6: 13

WONG: Ok

MINOR-6: i hav his nudes if u wanna see ;o

WONG: Sure

WONG: Do you do naughty stuff with him

MINOR-6: [Empty message box]

MINOR-6: Uhm

WONG: He's a cutie

MINOR-6: Sometimes

WONG: Is he a heavy sleeper?

MINOR-6: Mhm

WONG: he asleep rn

WONG: Can we video chat? Daddy wants you to do something
MINOR-6: sowwy i no like calls
WONG: I'm gonna text what you're gonna do
WONG: Do you not want daddy to be happy?
MINOR-6: anything but calls :s
WONG: Just this once
MINOR-6: Nooo
MINOR-6: i-i can take pics of him if u want
WONG: Then can you record a video of you sucking off your sleeping brother
MINOR-6: he'll wake up if i do that !!
WONG: Then be slow
WONG: Does he let you do naughty things?
MINOR-6: no ;c
MINOR-6: he no like naughty
WONG: I guess you hate daddy being happy
MINOR-6: Daddy
WONG: Yes?
MINOR-6: i took a pic of him wanna see
WONG: Sure
MINOR-6: [Empty Message box]
WONG: He sleeps naked?
MINOR-6: mhm

(Later Messages from August 16, 2021)

MINOR 6: Master
WONG: Yes?
MINOR-6: can i see pic of puppys private parts
WONG: I'll ask her ok?
WONG: [WONG sends image of Minor 1's vagina]
WONG: I hope you like it
WONG: She's very developed in her body
WONG: What do you think
MINOR-6: Owo
MINOR-6: h-hot
MINOR-6: can i see her ass >~<
WONG: She wants to see your ass first
MINOR-6: o-okay
MINOR-6: [Empty Message box]
WONG: God that's so hot

Minors-7 Through 10

30. Examination of WONG's communications on Communications Platform 1 revealed that between March 23 and December 31, 2021, WONG engaged in sexual

communications and exchanged suspected child pornography with Minors-7 through 10. Minors-7 through 10 told WONG through various message threads on Communications Platform 1 that they were between the ages of 13 and 17. During the conversations, WONG solicited photographs and videos of the minors. The content of the conversations indicates that Minors-7 through 10 all shared photographs, including likely child pornography through Communications Platform 1; however, the users appear to have removed the images from the chat threads. Additionally, in some of the chats, WONG discusses video calls which occurred between himself and some of the minors in which he describes WONG and the relevant minor engaging in mutual masturbation.

Possession of Child Pornography

31. Examination of WONG's cellular device, which contained a download of his Mega.nz account; his computer; and the warrant returns from Communications Platform 1 account identified approximately 235 images and 307 videos of child pornography. Some of the files are described below:

- a. A video lasting 36 seconds (Video A). The video depicts a partially clothed, prepubescent female child lying down on her back with her vagina and anus exposed. An adult male with an erect penis is forcefully inserting his penis into the child's anus repetitively. At approximately the three second mark, the camera focuses on the genitals and anus of the minor and the male continues to forcefully insert his penis into the child's anus for another 33 seconds.
- b. A video lasting approximately 2 minutes (Video B). The video depicts a naked female toddler lying down on her back with her anus exposed. An adult male with an erect penis is forcefully inserting his penis into the child's anus repetitively. At approximately the one-minute mark in the video, the adult male removes his penis and ejaculates into the child's

anus.

- c. A video lasting 6 minutes and 36 seconds (Video C). The video depicts a naked female toddler, approximately 2-4 years of age, lying on her back. An adult male with an erect penis attempts to forcefully insert his penis into the child's anus and vagina repetitively. The child then sits up and the male inserts his erect penis into the child's mouth repetitively. The adult male then turns the child over on her stomach and appears to forcefully insert his erect penis into the child's vagina repetitively. The adult male then turns the child over and ejaculates on the child's pubic region.
- d. An image (Image A) that depicts a partially clothed prepubescent female child lying on her back with her vagina exposed. An adult female is performing cunnilingus on the child. The child is on a bed with Pokémon sheets and stuffed animals visible on the bed.

Distribution of Child Pornography

32. Examination of WONG's devices revealed that WONG exchanged child pornography with 9 unidentified co-conspirators through Communications Platforms 2 and 3 between the dates of November 29, 2020, and October 18, 2021. In various chat conversations, WONG provided links to his mega.nz account, which contained child pornography, in exchange for receipt of child pornography. WONG advertised that he had a variety of child pornography and asked users of their preferences before sending links to his mega.nz account and directly sending child pornography.

33. Examination of WONG's Communications Platform 1 account revealed that WONG offered to exchange his child pornography collection with multiple unidentified co-conspirators in exchange for other child pornography. For example, on December 26, 2021, after law enforcement had interviewed WONG, WONG contacted an unidentified account on

Communications Platform 1 and stated, “if you are interested in CP please message me, if not, mind your own business”. WONG asked co-conspirators if they “trade” and used the term “s2r” which I know from my training and experience to be a common acronym for “send to receive.”

34. WONG appeared to have created a chat group on Communications Platform 1 involving 75 other co-conspirators in order to facilitate the exchange of child pornography. Review of the extraction lists WONG as the “owner” of the chat group. Based on my knowledge of Communications Platform 1, my training and experience, administrators of chat groups may be listed as the “owner” of a chat group. Likewise, on December 22, 2021, WONG told another user that he was an “administrator” of three other chat groups on Communications Platform 1 that he indicated were utilized for anonymous transmission of sexually explicit materials.

35. Messages in this chat group between December 4, 2019, and August 24, 2021, discussed child pornography being exchanged through the thread. However, these images/videos being shared are not visible, as it appears other users in the group may have removed the content after posting.

Continued Criminal Behavior

36. On October 28, 2021, WONG was made aware of the investigation into his distribution and receipt of child pornography and his relationships with minors when he was interviewed by Special Agents with USACID. To mitigate risk of any further violations in relation to the offenses under investigation, WONG was placed under restrictions by his military command, forfeited his cellular devices, and was barred from using communications platforms, including Communication Platforms 1, 2 and 3.

37. Nonetheless, review of WONG’s Communication Platform 1 account revealed that WONG continued to solicit and receive explicit materials from Minors 7-9 during at least the dates

of December 18 through December 30, 2021.⁴ The chats indicated that WONG took additional steps to conceal his behavior, including stating that minors should only engage in live video calls, rather than sending him content. WONG further attempted to solicit explicit material from other minors on several other occasions during December of 2021 through Platform 1; however, these minors declined to provide WONG any sexually explicit images or videos. Additionally, throughout December, WONG continued to engage with multiple individuals in the large chat group with the intention of providing and trading child pornography on Communications Platform 1.

CONCLUSION

38. Based on the facts outlined above, I submit there is probable cause to believe that Warren Y. Wong, within the Eastern District of Virginia and elsewhere, from at least May 2021 to December 2021 did engage in sexual exploitation of a child, in violation of 18 U.S.C. § 2251(a) and (e).

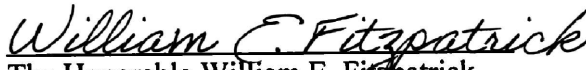
Respectfully submitted,

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Kyle P. Fenton
Special Agent
USACID

Subscribed to and sworn to in accordance with
Fed. R. Crim. P. 4.1 by telephone on November 3, 2022.


The Honorable William E. Fitzpatrick
United States Magistrate Judge

⁴ Communications Platform 1 provided data through January 2022.